

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK  
CENTRAL DIVISION**

In re: AMKEN ORTHOPEDICS INC.

§  
§  
§  
§

Case No. 814-73447 LAS

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

Kenneth Kirschenbaum, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$4,500.00  
*(without deducting any secured claims)*

Assets Exempt: N/ATotal Distributions to Claimants: \$21,149.92

Claims Discharged

Without Payment: N/ATotal Expenses of Administration: \$28,850.08

3) Total gross receipts of \$50,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$50,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$50,278.61	\$890,629.58	\$890,629.58	\$21,149.92
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	\$0.00	\$28,850.08	\$28,850.08	\$28,850.08
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	\$172,813.01	\$571,549.16	\$261,949.03	\$0.00
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	\$668,768.18	\$239,502.14	\$169,005.22	\$0.00
<b>TOTAL DISBURSEMENTS</b>	\$891,859.80	\$1,730,530.96	\$1,350,433.91	\$50,000.00

4) This case was originally filed under chapter 7 on 07/30/2014. The case was pending for 44 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 03/19/2018

By: /s/ Kenneth Kirschenbaum  
Trustee

**STATEMENT** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
State Court lawsuit	1241-000	\$50,000.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$50,000.00</b>
<sup>1</sup> The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.		

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		

**EXHIBIT 3 - SECURED CLAIMS**

Claim NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	Marlene Zawin	4210-000	NA	\$18,427.75	\$18,427.75	\$18,427.75
4S	Internal Revenue Service	4300-070	\$0.00	\$872,132.37	\$872,132.37	\$2,722.17
15S	State of NY Dept of Labor	4800-070	\$0.00	\$69.46	\$69.46	\$0.00
N/F	Avaya	4110-000	\$1,478.61	NA	NA	NA
N/F	Ricoh	4110-000	\$0.00	NA	NA	NA
N/F	Signature Bank C/O Robert J. Mastrogiacono, Esq.	4110-000	\$48,800.00	NA	NA	NA
<b>TOTAL SECURED</b>			<b>\$50,278.61</b>	<b>\$890,629.58</b>	<b>\$890,629.58</b>	<b>\$21,149.92</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee, Fees - Kenneth Kirschenbaum	2100-000	NA	\$5,750.00	\$5,750.00	\$5,750.00
Trustee, Expenses - Kenneth Kirschenbaum	2200-000	NA	\$26.30	\$26.30	\$26.30
Attorney for Trustee Fees - Kirschenbaum & Kirschenbaum, P.C.	3110-000	NA	\$19,775.00	\$19,775.00	\$19,775.00
Attorney for Trustee, Expenses - Kirschenbaum & Kirschenbaum, P.C.	3120-000	NA	\$530.19	\$530.19	\$530.19
Banking and Technology Service Fee - Rabobank, N.A.	2600-000	NA	\$908.47	\$908.47	\$908.47
Other Chapter 7 Administrative Expenses - NYS Dept of Taxation & Finance	2990-000	NA	\$62.00	\$62.00	\$62.00
Other Chapter 7 Administrative Expenses - NYS DEPT OF TAX & FINANCE	2990-000	NA	\$26.04	\$26.04	\$26.04
Accountant for Trustee Fees (Other Firm) - Sklar Heyman Hirshfield & Kantor LLP	3410-000	NA	\$1,727.08	\$1,727.08	\$1,727.08
Accountant for Trustee Expenses (Other Firm) - Sklar Heyman Hirshfield & Kantor LLP	3420-000	NA	\$45.00	\$45.00	\$45.00
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>NA</b>	<b>\$28,850.08</b>	<b>\$28,850.08</b>	<b>\$28,850.08</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	State of NY Dept of Labor	5800-000	\$1,657.50	\$248.85	\$0.00	\$0.00
4P	Internal Revenue Service	5800-000	\$0.00	\$98,785.39	\$98,785.39	\$0.00
6P	NYS DEPT OF TAX & FINANCE	5800-000	\$0.00	\$133,764.01	\$0.00	\$0.00
6P-2	NYS DEPT OF TAX & FINANCE	5800-000	\$0.00	\$134,514.01	\$0.00	\$0.00
6P-3	NYS DEPT OF TAX & FINANCE	5800-000	\$0.00	\$139,498.42	\$139,498.42	\$0.00
8	State of NY Dept of Labor	5800-000	\$5,204.00	\$17,446.63	\$0.00	\$0.00
13	State of NY Dept of Labor	5800-000	\$8,951.51	\$23,626.63	\$0.00	\$0.00
15P	State of NY Dept of Labor	5800-000	\$0.00	\$23,665.22	\$23,665.22	\$0.00
N/F	null	5800-000	NA	NA	NA	NA
N/F	null	5800-000	\$157,000.00	NA	NA	NA
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			<b>\$172,813.01</b>	<b>\$571,549.16</b>	<b>\$261,949.03</b>	<b>\$0.00</b>

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
2	Freedom Innovations	7100-000	\$13,000.00	\$13,000.00	\$13,000.00	\$0.00
3	POINT Health Centers of America	7100-000	\$0.00	\$2,360.00	\$2,360.00	\$0.00
4U	Internal Revenue Service	7300-000	\$0.00	\$30,958.19	\$30,958.19	\$0.00
5	PSEG Long Island	7100-000	\$4,458.52	\$4,455.52	\$4,455.52	\$0.00
6U	NYS DEPT OF TAX & FINANCE	7300-000	\$0.00	\$35,248.46	\$0.00	\$0.00
6U-2	NYS DEPT OF TAX & FINANCE	7300-000	\$0.00	\$35,248.46	\$0.00	\$0.00
6U-3	NYS DEPT OF TAX & FINANCE	7300-000	\$0.00	\$36,226.46	\$36,226.46	\$0.00
7	PEL LLC	7100-000	\$0.00	\$4,189.27	\$4,189.27	\$0.00
9	Old Republic Surety Company LLC	7100-000	\$8,680.09	\$2,680.09	\$2,680.09	\$0.00
10	CIT Finance LLC	7100-000	\$0.00	\$8,639.94	\$8,639.94	\$0.00
11	College Park Industries	7100-000	\$4,250.48	\$3,150.49	\$3,150.49	\$0.00
12	Alfonso J Mollica CPA PC	7100-000	\$0.00	\$31,237.96	\$31,237.96	\$0.00
14	US DEPT. OF HEALTH & HUMAN SVCS	7200-000	\$0.00	\$32,107.30	\$32,107.30	\$0.00
N/F	ARSI	7100-000	\$2,580.84	NA	NA	NA
N/F	AT&T	7100-000	\$755.22	NA	NA	NA
N/F	Albert Sumell	7100-000	NA	NA	NA	NA

N/F	Alfonso Mollica, CPA, P.C. CIO Kirschenbaum Phillips & Roach	7100-000	NA	NA	NA	NA
N/F	Allen & Associates	7100-000	\$1,212.79	NA	NA	NA
N/F	Allied OSI Labs	7100-000	\$594.00	NA	NA	NA
N/F	CCC Collection	7100-000	\$235.16	NA	NA	NA
N/F	Cascade	7100-000	\$87.00	NA	NA	NA
N/F	Classique	7100-000	\$660.34	NA	NA	NA
N/F	Con Edison	7100-000	\$401.52	NA	NA	NA
N/F	Corflex	7100-000	\$1,051.01	NA	NA	NA
N/F	DJJ Technologies	7100-000	\$58.57	NA	NA	NA
N/F	DJO Global	7100-000	\$321.78	NA	NA	NA
N/F	David Ballman	7100-000	NA	NA	NA	NA
N/F	Deluxe For Business	7100-000	\$379.94	NA	NA	NA
N/F	Duffy Realty	7100-000	\$9,200.00	NA	NA	NA
N/F	Eastern Coffee	7100-000	\$176.20	NA	NA	NA
N/F	Emdeon	7100-000	\$992.00	NA	NA	NA
N/F	Empi	7100-000	NA	NA	NA	NA
N/F	Jims Plastics	7100-000	\$608.19	NA	NA	NA
N/F	Leslie Waterworks	7100-000	\$391.05	NA	NA	NA
N/F	Lincol Financial Group One Granite Place	7100-000	\$93.88	NA	NA	NA
N/F	MD Orthopedics	7100-000	\$1,537.64	NA	NA	NA
N/F	Med Spec	7100-000	\$97.74	NA	NA	NA

N/F	Medforms	7100-000	\$148.79	NA	NA	NA
N/F	NPC	7100-000	\$342.07	NA	NA	NA
N/F	NationalGrid	7100-000	\$2,430.04	NA	NA	NA
N/F	OSSUR Jonathan Neil & Associates	7100-000	\$5,264.36	NA	NA	NA
N/F	Patterson Medical	7100-000	\$164.06	NA	NA	NA
N/F	Paychecks	7100-000	\$450.00	NA	NA	NA
N/F	Pitney Bowes, Inc. C/O Caine & Weiner	7100-000	\$736.87	NA	NA	NA
N/F	Point	7100-000	\$210.00	NA	NA	NA
N/F	Progressive Waste	7100-000	\$1,084.58	NA	NA	NA
N/F	RMC	7100-000	\$1,111.84	NA	NA	NA
N/F	RMS- UPS	7100-000	\$867.12	NA	NA	NA
N/F	Richard Green	7100-000	\$400,000.00	NA	NA	NA
N/F	Spinal Tech	7100-000	\$1,168.02	NA	NA	NA
N/F	Steven Bankler	7100-000	\$200,000.00	NA	NA	NA
N/F	Sure Step	7100-000	\$2,145.00	NA	NA	NA
N/F	TLL Solutions	7100-000	\$776.91	NA	NA	NA
N/F	Texas Assist Dev.	7100-000	\$44.56	NA	NA	NA
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			<b>\$668,768.18</b>	<b>\$239,502.14</b>	<b>\$169,005.22</b>	<b>\$0.00</b>



# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Exhibit 8

Page: 1

**Case No.:** 814-73447 LAS**Case Name:** AMKEN ORTHOPEDICS INC.**Trustee Name:** (520680) Kenneth Kirschenbaum**Date Filed (f) or Converted (c):** 07/30/2014 (f)**§ 341(a) Meeting Date:** 09/09/2014**For Period Ending:** 03/19/2018**Claims Bar Date:** 11/20/2014

1 Asset Description (Scheduled And Unscheduled (u) Property)  Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=\$554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 Capital One Bank 470	0.00	0.00		0.00	FA
2 Capital One Bank 425	0.00	0.00		0.00	FA
3 Signature Bank payroll account	0.00	0.00		0.00	FA
4 Signature Bank operating account 7939	0.00	0.00		0.00	FA
5 Accounts receivables	Unknown	0.00		0.00	FA
6 Patient list	Unknown	0.00		0.00	FA
7 Various office equipment	1,500.00	1,500.00		0.00	FA
8 Copy machines, phone system	3,000.00	3,000.00		0.00	FA
9 Various machinery	Unknown	0.00		0.00	FA
10 Inventory	Unknown	0.00		0.00	FA
11 State Court lawsuit (u)	0.00	0.00		50,000.00	FA
<b>11</b> Assets Totals (Excluding unknown values)	<b>\$4,500.00</b>	<b>\$4,500.00</b>		<b>\$50,000.00</b>	<b>\$0.00</b>

**Major Activities Affecting Case Closing:**

A State Court pre-petition law suit which had been commenced by the debtor has been settled by the Trustee pursuant to court order. A claim of the senior secured creditor, having a lien against the settlement proceeds has been fixed pursuant to court order. After the Trustee makes the disbursement to the secured creditor, he intends to file the Final Report

**Current Projected Date Of Final Report (TFR):** 08/29/2017 (Actual)**Initial Projected Date Of Final Report (TFR):** 07/31/2016

**Form 2**

Exhibit 9

Page: 1

**Cash Receipts And Disbursements Record****Case No.:** 814-73447 LAS**Trustee Name:**

Kenneth Kirschenbaum (520680)

**Case Name:** AMKEN ORTHOPEDICS INC.**Bank Name:**

Rabobank, N.A.

**Taxpayer ID #:** \*\*\_\*\*\*7773**Account #:**

\*\*\*\*\*7866 Checking Account

**For Period Ending:** 03/19/2018**Blanket Bond (per case limit):** \$44,643,604.00**Separate Bond (if applicable):** N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
09/02/15	{11}	Eschen P&O Labs Inc	settlement of conversion action	1241-000	10,000.00		10,000.00
09/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		12.94	9,987.06
10/08/15	{11}	Eschen P&O Labs Inc	fraudulent transfer recovery - litigation	1241-000	40,000.00		49,987.06
10/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		54.63	49,932.43
11/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		69.42	49,863.01
12/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		78.89	49,784.12
01/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		69.03	49,715.09
03/01/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		68.93	49,646.16
03/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		78.34	49,567.82
04/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		68.73	49,499.09
05/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		68.63	49,430.46
06/22/16	101	NYS Dept of Taxation & Finance	2016 CT-200-V Payment voucher for E-Filed tax returns	2990-000		31.00	49,399.46
06/22/16	102	NYS Dept of Taxation & Finance	2015 CT-200-V Payment voucher for E-Filed tax returns	2990-000		31.00	49,368.46
06/28/16	103	Marlene Zawin	Pursuant to Court order dated 6/8/16	4210-000		18,427.75	30,940.71
06/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		77.99	30,862.72
02/28/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		38.47	30,824.25
03/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		45.81	30,778.44
04/28/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		41.31	30,737.13
05/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		48.62	30,688.51
06/30/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		44.13	30,644.38
07/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		42.60	30,601.78
10/30/17	104	Kenneth Kirschenbaum	Dividend paid 100.00% on \$5,750.00, Trustee Compensation; Reference:	2100-000		5,750.00	24,851.78

**Page Subtotals:****\$50,000.00****\$25,148.22**

**Form 2**

Exhibit 9

Page: 2

**Cash Receipts And Disbursements Record****Case No.:** 814-73447 LAS**Trustee Name:** Kenneth Kirschenbaum (520680)**Case Name:** AMKEN ORTHOPEDICS INC.**Bank Name:** Rabobank, N.A.**Taxpayer ID #:** \*\*-\*\*\*7773**Account #:** \*\*\*\*\*7866 Checking Account**For Period Ending:** 03/19/2018**Blanket Bond (per case limit):** \$44,643,604.00**Separate Bond (if applicable):** N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
10/30/17	105	Kenneth Kirschenbaum	Dividend paid 100.00% on \$26.30, Trustee Expenses; Reference:	2200-000		26.30	24,825.48
10/30/17	106	Kirschenbaum & Kirschenbaum, P.C.	Dividend paid 100.00% on \$19,775.00, Attorney for Trustee Fees (Trustee Firm); Reference:	3110-000		19,775.00	5,050.48
10/30/17	107	Kirschenbaum & Kirschenbaum, P.C.	Dividend paid 100.00% on \$530.19, Attorney for Trustee Expenses (Trustee Firm); Reference:	3120-000		530.19	4,520.29
10/30/17	108	Sklar Heyman Hirshfield & Kantor LLP	Dividend paid 100.00% on \$1,727.08, Accountant for Trustee Fees (Other Firm); Reference:	3410-000		1,727.08	2,793.21
10/30/17	109	Sklar Heyman Hirshfield & Kantor LLP	Dividend paid 100.00% on \$45.00, Accountant for Trustee Expenses (Other Firm); Reference:	3420-000		45.00	2,748.21
10/30/17	110	NYS DEPT OF TAX & FINANCE	Dividend paid 100.00% on \$26.04, Other Chapter 7 Administrative Expenses; Reference:	2990-000		26.04	2,722.17
10/30/17	111	Internal Revenue Service	paid 0.31% on \$872,132.37; Claim# 4S; Filed: \$872,132.37; Reference:	4300-070		2,722.17	0.00

**COLUMN TOTALS****50,000.00****50,000.00****\$0.00**

Less: Bank Transfers/CDs

0.00

0.00

**Subtotal****50,000.00****50,000.00**

Less: Payments to Debtors

0.00

**NET Receipts / Disbursements****\$50,000.00****\$50,000.00**

**Form 2**

Exhibit 9

Page: 3

**Cash Receipts And Disbursements Record****Case No.:** 814-73447 LAS**Trustee Name:** Kenneth Kirschenbaum (520680)**Case Name:** AMKEN ORTHOPEDICS INC.**Bank Name:** Rabobank, N.A.**Taxpayer ID #:** \*\*\_\*\*\*7773**Account #:** \*\*\*\*\*7866 Checking Account**For Period Ending:** 03/19/2018**Blanket Bond (per case limit):** \$44,643,604.00**Separate Bond (if applicable):** N/A

<b>TOTAL - ALL ACCOUNTS</b>	<b>NET DEPOSITS</b>	<b>NET DISBURSEMENTS</b>	<b>ACCOUNT BALANCES</b>
*****7866 Checking Account	\$50,000.00	\$50,000.00	\$0.00
	<b>\$50,000.00</b>	<b>\$50,000.00</b>	<b>\$0.00</b>